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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,099	01/25/2002	Samuli Tuoriniemi	944-005.003/35246US	5713

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EXAMINER
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FIELDS, COURTNEY D

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/059,099

Applicant(s)

TUORINIEMI ET AL.

Examiner

Courtney D. Fields

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-12,14-17 and 19-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-12,14-17 and 19-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/26/02,09/17/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 2,13, and 18 have been cancelled.
2. Claims 1,8,12, and 17 have been amended.
3. Claims 1,3-12,14-17,and 19-28 are pending.

### ***Information Disclosure Statement***

4. The Information Disclosure Statements respectfully submitted on 26 July 2002 and 17 September 2003 have been considered by the Examiner.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,3-12,14-17, and 19-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Kontio et al. (Pub No. 2005/0004875).

Referring to the rejection of claims 1 and 17, Kontio et al. discloses a method and device for personalizing content in a network comprising a mobile device based on information contained in a rights expression voucher that accompanies the content (See pages 9-10, Sections 0077-0080 and 083)

Referring to the rejection of claims 3 and 20, Kontio et al. discloses the claimed limitation wherein encrypting a content encryption key using a local

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encryption key which is derived from a terminal or subscriber identity module specific encryption seed (See page 26, Sections 0258-0259)

Referring to the rejection of claim 4, Kontio et al. discloses the claimed limitation wherein regenerating a local encryption key from the same encryption seed when needed, instead of storing the local encryption key, to ensure that the content cannot be used if the same encryption seed for the local encryption key is not present (See page 19, Sections 0159-0160 and 0168)

Referring to the rejection of claims 5 and 21, Kontio et al. discloses the claimed limitation wherein using a tag contained in a rights expression voucher, the tag providing the wireless device or terminal a specific encryption seed for a key which is used for the local encryption of the content encryption key (See page 11, Section 0097)

Referring to the rejection of claims 6 and 22, Kontio et al. discloses the claimed limitation wherein the wireless device or terminal either a hardware or software implementation module is used to generate the key and encrypts the content encryption key using a terminal or subscriber identity module specific seed, which is provided in the rights expression voucher (See pages 28-29, Sections 0305-0306)

Referring to the rejection of claim 7, Kontio et al. discloses the claimed limitation wherein using information related to either subscriber identity module (SIM), international mobile equipment identity (IMEI), some terminal hardware function or the rights expression voucher (See page 11, Section 0099)

Referring to the rejection of claims 8 and 12, Kontio et al. discloses a

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method and device for providing a mobile device content having a rights expression voucher with information that controls the content personalization therein, and personalizing the content in the device in accordance with the information contained in the rights expression voucher (See pages 28-29, Sections 0306 and 0308)

Referring to the rejection of claims 9,14 and 19, Kontio et al. discloses the claimed limitation wherein using device specific personalization information to personalize the content, including device specific hardware operations information (See page 17, Section 0136 and page 25, Section 0246)

Referring to the rejection of claims 10 and 15, Kontio et al. discloses the claimed limitation wherein making the personalization by the local encryption of the content encryption key (See page 17, Section 0136 and page 26, Section 0259)

Referring to the rejection of claims 11 and 16, Kontio et al. discloses the claimed limitation wherein encrypting the content encryption key using a local encryption key, which is derived from a terminal or SIM specific seed (See page 26, Sections 0258-0259)

Referring to the rejection of claims 23,25, 26 and 27, Kontio et al. discloses the claimed limitation wherein a method is used for the local encryption of the content encryption key, the content, the rights expression voucher itself or a combination thereof (See page 19, Section 0163 and page 26, Section 0259)

Referring to the rejection of claim 24, Kontio et al. discloses the claimed limitation wherein using a field contained in a rights expression voucher, the field

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providing the device, a device specific function which is used for the local encryption of a content encryption key (See page 27, Sections 0270-0278)

Referring to the rejection of claim 28, Kontio et al. discloses the claimed limitation wherein the device to which personalized content is bound includes not only the device itself, but also other devices coupled to the device (See page 10, Sections 0083-0087)

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wang (US Patent No. 6,885,748) discloses a system and method for protection of digital works.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 571-272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

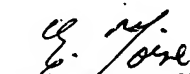
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



cdf

August 3, 2005

**EMMANUEL L. MOISE**  
**SUPERVISORY PATENT EXAMINER**